

MAY 17 2005

PTO/SB/17p (11-04)

Approved for use through 07/31/2007. CMB 0631-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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PETITION FEE Under 37 CFR 1.17(f), (g) & (h) TRANSMITTAL (Fees are subject to annual revision) Send completed form to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450	Application Number	10/078,622
	Filing Date	January 10, 2002
	First Named Inventor	Daum
	Art Unit	3731
	Examiner Name	Dawson
	Attorney Docket Number	126381.00901

Enclosed is a petition filed under 37 CFR 1.78(a)(2) that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 1,370.00 is enclosed.
 This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g. Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

- ☐ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. _____:
- ☐ petition fee under 37 CFR 1.17(f), (g) or (h) ☐ any deficiency of fees and credit of any overpayment
- ☐ Check in the amount of \$ _____ is enclosed.
- ☒ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

- \$ 1.53(e) - to accord a filing date.
- \$ 1.57(a) - to accord a filing date.
- \$ 1.182 - for decision on a question not specifically provided for.
- \$ 1.183 - to suspend the rules.
- \$ 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of a maintenance fee in an expired patent
- \$ 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

- \$1.12 - for access to an assignment record.
- \$1.14 - for access to an application.
- \$1.47 - for filing by other than all the inventors or a person not the inventor.
- \$1.59 - for expungement of information.
- \$1.103(a) - to suspend action in an application
- \$1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- \$1.295 - for review of refusal to publish a statutory invention registration.
- \$1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- \$1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- \$1.550(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.
- \$1.956 - for patent owner requests for extension of time in inter parte reexamination proceedings.
- \$ 5.12 - for expediated handling of a foreign filing license.
- \$5.15 - for changing the scope of a license.
- \$5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

- \$1.19(g) - to request documents in a form other than that provided in this part.
- \$1.84 - for accepting color drawings or photographs.
- \$1.91 - for entry of a model or exhibit.
- \$1.102(d) - to make an application special.
- \$1.138(c) - to expressly abandon an application to avoid publication.
- \$1.313 - to withdraw an application from issue.
- \$1.314 - to defer issuance of a patent.

Signature
 Raymond A. Miller
 Typed or Printed Name

5/17/2005
 Date
 42,891
 Registration No., if applicable

This collection of information is required by 37 CFR 1.136(n). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Attorney Docket No. 126381.00901

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Wolfgang Daum et al.
Application No. : 10/078,622
Filing Date : February 19, 2002
Group Art Unit : 3731
Confirmation No. : 5614
Examiner : Glenn K. Dawson

RECEIVED
CENTRAL FAX CENTER
MAY 17 2005

For: STENT AND METHOD FOR DRUG DELIVERY FROM STENTS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

PETITION FOR UNINTENTIONALLY DELAYED CLAIM OF PRIORITY UNDER 37 C.F.R. §1.78(A)

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

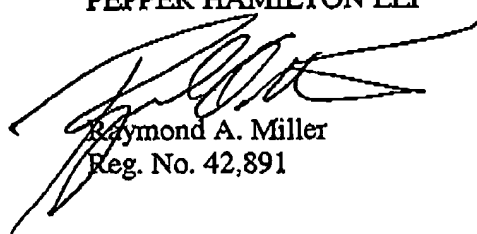
Applicants respectfully request that the above-referenced application be accorded a claim of priority to U.S. Non-Provisional Application No. 10/044,475 filed January 10, 2002, now U.S. Patent No. 6,786,904 issued September 7, 2004. The entire delay in filing this claim for priority under 37 CFR 1.78(a) was unintentional. The Office is hereby authorized to charge the Petition Surcharge Fee to the Visa credit card account number listed on the attached Credit Card Payment Form.

Attorney Docket No. 126381.00901

The Commissioner is hereby authorized to charge any additional payment of fee
or credit any overpayment or refund to Deposit Account No. 50-0436.

Respectfully submitted,

PEPPER HAMILTON LLP

A handwritten signature in black ink, appearing to read 'Raymond A. Miller', is written over the printed name and registration number.

Raymond A. Miller
Reg. No. 42,891

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Date: May 17, 2005